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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/570,820	10/11/2006	Mark James Singleton	4140-0114PUS1	7209
2292 7590 10/02/2009 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
BUCKLE JR, JAMES J				
ART UNIT		PAPER NUMBER		
3633				
NOTIFICATION DATE		DELIVERY MODE		
10/02/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/570,820

Applicant(s)

SINGLETON, MARK JAMES

Examiner

JAMES J. BUCKLE JR

Art Unit

3633

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) 1, 2, 8, and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 March 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S508)
- Paper No(s)/Mail Date 3/6/2006.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application.
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Figure 5 is not listed in the brief description of the drawings. Appropriate correction is required.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Reference number 21 is not in Figures. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 1, 2, 8 and 10 are objected to because of the following informalities:
 - a. Claim 1 requires at least a comma after "section" in line 3 of claim 1.

- b. Claim 1 recites "the structural component", Examiner believes Applicant intended to recite "the structural component or structural components"
- c. Claim 2 requires an "A" at the beginning of the claim.
- d. Claim 2 recites "which are allow" in line 3 of the claim.
- e. Claim 8 recites "relationship the sided", examiner believes applicant intended to recite "relationship with the side...that engages".
- f. Claim 10 recites "a said pair of leg formations" in line 2 of claim 10. It is unclear if the Applicant intended to introduce a new pair of leg formations.

This may not be an exhaustive list of informalities; therefore Applicant is encouraged to review the claims for further informalities. Appropriate correction is required. Claims are examined as best understood.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 9 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claim 9 recites the limitation "coupling slots" in line 4 of the claim. There is insufficient antecedent basis for this limitation in the claim.
7. Claim 10 recites the limitation "said coupling slots" in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

8. Regarding claims 9 and 10, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

9. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim. Claim 12 is examined as best understood.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1, 2, 4, 5, 8, 9, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Richards (U.S. Patent No. 2,822,898).

12. Regarding claims 1 and 12, Richards discloses a structural coupling (Fig. 3) comprising structural components (12) provided with coupling leg formations (21) and locking flanges (28, 29) on at least a pair of opposing ones of the leg formations in assembly, a connecting channel section(30), the sides of which are adapted respectively to engage the pair of leg formations and means for providing snap fit engagement (50) of the leg formations of the structural components with the channel section to secure the component or components together.

13. Regarding claim 2, Richards discloses the snap fit engagement means (50) to include resilient ones of the leg formations (21) which yield upon insertion in the channel section, and cooperating means (56) which allow snap fit engagement of the leg formations with the channel section when fully inserted therein.

14. Regarding claim 4, Richards discloses the snap fit engagement means (30) including a locking formation (approximate 38 and 48, considered the corner section of the channel section) channel section a clip fixing for snap fit engagement with the locking formation and the locking flanges (Fig. 3).

15. Regarding claim 5, Richards discloses the locking formation (approximate 38, 48) on the channel section is formed on the inside face of the base of the channel section.

16. Regarding claim 8, Richards discloses the leg formations being provided with coupling slots (approximate 45), such that when the pair of leg formations are in opposed relationship with the sides of the channel section that engages the respective coupling slots.

17. Regarding claim 9, Richards discloses the pair of leg formations (21) that are on the side edges of a series of rigid sheets or panels disposed in side by side relationship to form part of a structure such as a floor or roof, the sides of the channel section being accommodated in the coupling slots such that the base wall of the channel section and the rigid sheets or panels lie in the same plane.

18. Regarding claim 11, claim 1 was addressed using structural components, and not a structural component. Thus "a structural component" is never considered, for further describing details of a non-selected alternative.

19. Claims 1- 8, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Blake, III (U.S. Patent No. 5,857,799).

20. Regarding claims 1 and 12, Blake, III discloses a structural coupling comprising a structural component (Fig. 1 and 2) provided with coupling leg formations (34) and locking flanges (64) on at least a pair of opposing ones of the leg formations in assembly, a connecting channel section(24), the sides of which are adapted respectively to engage the pair of leg formations and means for providing snap fit engagement (82) of the leg formations of the structural components with the channel section to secure the component or components together.

21. Regarding claim 2, Blake, III discloses the snap fit engagement means to include resilient ones of the leg formations (34) which yield upon insertion in the channel section, and cooperating means (60) between the leg formations and the channel section which allow snap fit engagement of the leg formations with the channel section when fully inserted therein.

22. Regarding claim 3, Blake, III discloses the cooperating means to include bulbous formations (60) formed on the leg formations which engage with complimentary recesses in the channel section.

23. Regarding claim 4, Blake, III discloses the snap fit engagement means including a locking formation (78) on the channel section, and a clip (approximate 22, Fig. 2) fixing for snap fit engagement with the locking formation and the locking flanges.

24. Regarding claim 5, Blake, III discloses the locking formation (78) on the channel section formed on the inside face of the base of the channel section
25. Regarding claim 6, Blake, III discloses the locking formations (78) being comprised of an embossment to provide a pair of channel recesses (considered the space occupied by 22 Fig. 2) along the channel base.
26. Regarding claim 7, Blake, III discloses the locking flanges (64) on the pair of opposing ones of the leg formations (34) to include inturned edges forming locking ribs (Fig. 1 and 2), the clip fixing having flexible barbs (66, considered to be flexible to a degree) for respective snap fit engagement with the locking ribs and channel recesses to lock the coupling together.
27. Regarding claim 8, Blake, III discloses the leg formations being provided with coupling slots (approximate 84), such that when the pair of leg formations are in opposed relationship with the sides of the channel section that engages the respective coupling slots.
28. Claims 1 and 10, are rejected under 35 U.S.C. 102(b) as being anticipated by Cotter (U.S. Patent No. 4,583,339).
29. Regarding claims 1, Cotter discloses a structural coupling comprising structural components (11 Fig. 1) provided with coupling leg formations (19, 20) and locking flanges (approximate 15) on at least a pair of opposing ones of the leg formations in assembly, a connecting channel section (31), the sides of which are adapted respectively to engage the pair of leg formations and means for providing snap fit

engagement (31 is considered to snap fit to secure the components together; Col. 1, lines 16-18) of the leg formations of the structural components with the channel section to secure the component or components together.

30. Regarding claim 10, Cotter discloses a structural coupling as set forth further having a pair of leg formations (23, 24) form the inside walls of a doubled walled channel shaped strut (21), coupling slots (25) being formed between the inside walls to receive the side walls of the connecting channel section together with the leg formations formed on the side edges of a series of rigid panels or sheets (11) disposed in side by side relationship to form part of a structure.

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES J. BUCKLE JR whose telephone number is (571)270-3739. The examiner can normally be reached on Monday-Thursday, Alternating Friday 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James J Buckle Jr
Examiner
Art Unit 3633

JJB

/Robert J Canfield/
Supervisory Patent Examiner, Art Unit 3635